

Regarding paragraph 85 in the NPRM (Notice of Proposed Rulemaking 04-140) -- "Limitations imposed on manufacturers... prohibit commercial manufactures from marketing power amplifiers that are capable of transmitting on the 12 m and 10 m amateur service bands to amateur radio operators."

Background. In 1978, it didn't seem fair that the Amateur Radio service should be penalized because CB operators would illegally use Amateur Radio amplifiers. But neither is life fair, and in retrospect, aside from an intensive, high-tech police-enforcement effort, trying to eliminate the availability of amplifiers capable of operating on 11 meters seemed like the only available course of action to control power levels on the wasteland that had become CB.

Regarding the proposal to permit amplifiers that work between 24 MHz and 35 MHz to become available once again, I would suggest:

- 1) The general environment on the CB band has seen no improvement; for instance, it cannot be considered a "Family Avocation." Similarly, nothing has changed regarding the demand for amplifiers on CB (so people may scream that much louder at each other). Therefore, the general environment on CB is ripe for seizing upon newly manufactured amplifiers. Releasing amplifiers into the marketplace will open a Pandora's box of on-channel and co-channel interference on the CB band, as well as consumer-electronics RFI (radio frequency interference) for the CBers' innocent neighbors. It was not so long ago that Amateur Radio operators were considered to be "trouble" by their neighbors because of the neighbors' experience with other antenna-wielding hobbies. In fact, Amateur Radio operators were invariably careful not to generate interference-causing square-waves with their equipment, and were only rarely found guilty of running their equipment improperly. Since then, the public has begun to recognize that Ham Radio and CB are two different things, if only because Ham Radio is more frequently associated with Public Service and PRB-1, and therefore we are starting to gain wider acceptance. Reintroduction of amplifiers into the CB service -- unintended though it may be -- will start a new round of consumer complaints, and return Ham Radio to the unfair scrutiny of being quickly compared to CBers and the interference they cause because of our superficial similarities, such as antennas on the roof. After the neighbors begin experiencing the aggravation of widespread RFI from CBers with new amplifiers, raising a proper Ham antenna in the neighborhood will become a more difficult exercise in diplomacy than it already is.
- 2) The NPRM suggests that limiting amplifiers to 15 dB gain will contribute to keeping the amplifiers out of the hands of CBers. For a CB putting out 4 watts, a 15 dB amplifier would provide 126 watts output, which is sure to be considered a fine thing within some CB circles. Conversely, as a way to deter the interest of CBers, a 15 dB limitation is hardly any limitation at all. Rather, it's a gift. The NPRM only mentions "gain limitation" as a requirement for type-acceptance. There may be additional requirements in the pipeline, but if this is the beginning of its development, then type acceptance is shaping up to be an ineffective method of controlling the new influx of amplifiers onto the CB band. Any amplifier

manufactured to work on the 24 MHz and/or 28 MHz Ham bands will be so easy to modify to work on the 27 MHz CB band, that any "type-acceptance" to "insure the amplifier cannot be used on other radio services besides the Ham Radio service" will be a mockery. For the even-more ambitious CBER, 126 watts would be more than enough power to drive a 100-Watt-input Amateur Radio amplifier, which could provide a total output of over 1500 watts peak on single-sideband. Add an amplified microphone [with reverb] during a band opening, and one station could obliterate a few CB channels for half the nation.

- 3) Agreed that redundancy in the rules is wasteful and confusing. Agreed that rules already exist for the CB service that prohibit hooking an amplifier to a CB set. However, I would review the level of adherence to the existing rules -- such as no cursing, music, amplifiers, conversing with skipland, or causing malicious interference -- before suggesting that "Rules" will provide significant deterrence from connecting CBs to amplifiers, should they become available.

Yours truly,
Neil J Nitzberg / ne3j